

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

IN RE:

BOBBY LEE OCHOA

CASE NO: 10-10276-RLJ-13

HEARING DATE: 5/9/2011

HEARING TIME: 11:00 AM

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND
PLAN MODIFICATION (if required)**

NOW COMES Walter O'Cheskey, Chapter 13 Trustee, and files this Proposed Trustee's Recommendation Concerning Claims and Plan Modification (if required) in accordance with Bankruptcy Rule 3007 and General Order 2010-01 and would respectively show unto to the Court as follows:

I.

OBJECTION -- NO PROOF OF CLAIM FILED

The following creditors were scheduled by the Debtor(s). No Proof of Claim has been filed by them or on their behalf, as required by Bankruptcy Rule 3002(a). The bar date for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED.

Trustee Clm#	Creditor Name	Scheduled Amount	Trustee Clm#	Creditor Name	Scheduled Amount
016 0 U	AMERICAN CREDIT & COLL	\$1,507.00	017 0 U	CALVARY PORTFOLIO SERVICES LLC	\$1.00
018 0 U	CAPITAL LOANS	\$480.00	019 0 U	CELLULAR ONE	\$400.00
020 0 U	CENTRAL FIN	\$1.00	021 0 U	CENTRAL FINANCE	\$190.00
022 0 U	CIC	\$200.00	023 0 U	CINGULAR WIRELESS	\$640.09
026 0 U	COLLECTION COMPANY OF AMERICA	\$327.00	027 0 U	CREDIT WORLD	\$593.00
028 0 U	JEFFERSON CAPITAL SYSTEMS LLC	\$274.00	030 0 U	FIRST STATE BANK TUSCOLA	\$300.00
031 0 U	FIRST COMMUNITY FCU	\$1.00	032 0 U	GENERAL FINANCE	\$126.00
034 0 U	SERVICE BUREAU INC	\$409.00	036 0 U	HSBC CARD SERVICES	\$977.00
037 0 U	HSBC / ORCHARD	\$491.00	038 0 U	HSBC	\$8,965.00
039 0 U	IC SYSTEM INC	\$1,090.00	040 0 U	NCO FIN-09	\$1.00
041 0 U	RECOVERY ONE	\$2,387.00	042 0 U	SBC BANKRUPTCY DEPT	\$1,025.00
043 0 U	SECOND ROUND LP	\$812.00	045 0 U	WELLS FARGO FINANCIAL	\$911.00
060 0 U	CONSULT ME AMERICA	\$1,500.00			

II.

SPECIFIC OBJECTIONS

No Objections

III.

TRUSTEE'S RECOMMENDATIONS CONCERNING ALLOWED CLAIMS

The Trustee hereby recommends the ALLOWANCE of the following claims for the amount and in the class as listed below.

Trustee Claim #	Creditor	Collateral / Description	Claim Amount	Value	%	Term	Paid / Treated
<u>SECURED CREDITORS</u>							
008 0	WELLS FARGO HOME MORTGAGE	HOME ARREARS -- STAY LIFTED	\$7,300.66	\$66,607.00			STAY LIFTED
009 0	WELLS FARGO HOME MORTGAGE	DIRECT PMTS --STAY LIFTED	\$53,707.31	\$66,607.00			STAY LIFTED
010 0	ABILENE TEACHERS FEDERAL CREDIT UNION	2007 CHEVY IMPALA	\$12,343.00	\$12,239.00	8.00%	59	\$274.32 PAID BY TRUSTE

Increased term from 58 to 59 months. See modification below.

UNSECURED GENERAL CREDITORS

Trustee Clm#	Creditor Name	Claim Amount
010 1 U	ABILENE TEACHERS FEDERAL CREDIT UNION <i>SPLIT CLAIM/2007 CHEVY IMPALA</i>	\$104.00
044 0 U	TEXAS POWER SERVICES	\$986.10
051 0 U *	T MOBILE/TMOBILE USA INC SERVICES <i>Not provided for in confirmed plan.</i>	\$680.69
062 0 U *	JEFFERSON CAPITAL SYSTEMS LLC SERVICES/CASHNET NAT CREDIT ADJ <i>Not provided for in confirmed plan.</i>	\$1,032.85

Trustee Clm#	Creditor Name	Claim Amount
033 0 U	HENDRICK HEALTH SYSTEM MEDICAL SERVICES	\$409.86
050 0 U *	SANTANDER CONSUMER USA AUTO DEFICIENCY/03 CHRYSLER CONCORDE <i>Not provided for in confirmed plan.</i>	\$7,976.89
061 0 U *	JEFFERSON CAPITAL SYSTEMS LLC LOAN/EZMONEY LOAN SERVICES <i>Not provided for in confirmed plan.</i>	\$607.84
063 0 U *	SOUTHWESTERN BELL TELEPHONE COMPANY SERVICES <i>Not provided for in confirmed plan.</i>	\$609.12

If the Trustee's recommendation concerning any claim differs from the amount indicated in a creditor's Proof of Claim, the recommendation is deemed an objection to such claim. Unless a timely reponse or objection is filed contesting the Trustee's recommendation, the objection will be sustained and such claim will be allowed only in the amount and in the class indicated.

Any proposed changes by the Debtor that extends the term or lowers the interest rate as to any secured claim contained in the confirmed Plan must be set out in a Debtor's Objection or Response to the Trustee's Recommendation Concerning Claims and noticed to the affected creditor in the absence of a letter agreement between the Debtor and the affected creditor.

IV.

TRUSTEE'S PLAN MODIFICATION

Pursuant to 11 U.S.C. Section 1329, and in accordance with General Order 2010-01 Section 8, the Trustee requests the following Modification of Debtor's(s') Confirmed Plan, subject to feasibility herein:

Trustee's Modification is as follows:

All creditors shall be treated over a 59 month plan term.

Debtors plan term shall increase from 58 to 59 months. Debtor shall pay \$673 per month beginning September 2010 for 2 months; then \$567 per month beginning November 2010 for the remaining 57 months for a total plan base amount of \$33,665.00.

/s/ Walter O'Cheskey

 Walter O'Cheskey
 Chapter 13 Trustee

IF AN OBJECTION IS FILED, A HEARING WILL BE HELD 5/9/2011 AT 11:00 AM CONCERNING THE TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND PLAN MODIFICATION (IF REQUIRED) (TRCC) AT THE FOLLOWING LOCATION:

LIVE: US COURTHOUSE ROOM 2000, 3RD AND PINE, ABILENE, TEXAS 79604

A PRE-HEARING CONFERENCE WITH THE TRUSTEE SHALL BE HELD AT THE SAME LOCATION AT 8:30am. ALL PARTIES ARE REQUIRED TO ATTEND THE PREHEARING CONFERENCE. ANY OBJECTIONS TO THE PLEADINGS NOT RESOLVED OR DEFAULTED AT THE PRE-HEARING CONFERENCE WILL BE HEARD BY THE COURT AT THE HEARING DATE AND TIME ABOVE. TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, SERVED ON ALL EFFECTED CREDITORS AND FILED WITH THE COURT WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE.

PURSUANT TO GENERAL ORDER 2010-01 SECTION 8(C), UNLESS AN OBJECTION IS TIMELY FILED AS TO THE TREATMENT OF ANY CLAIM OR MODIFICATION, THE CLAIM OR MODIFICATION WILL BE ALLOWED OR APPROVED AS DESCRIBED IN THE TRCC AND SUCH TREATMENT WILL BE FINAL AND BINDING ON ALL PARTIES.

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

I hereby certify that a copy of the foregoing Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) and Notice of Hearing and Pre-Hearing Conference on Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) was this date served on the following parties electronically or at the addresses listed below by U.S. First Class mail:

Date: 3/18/2011

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

ABILENE TEACHERS FCU ATTN: GREG PECK 2801 NORTH 6TH STREET ABILENE TX 79603
ABILENE TEACHERS FEDERAL CREDIT UNION ATTN GREGORY PECK PO BOX 5706 ABILENE TX 79608
AMERICAN CREDIT & COLL 8700 COMMERCE PARK DR ST HOUSTON TX 77036
BARRETT DAFFIN FRAPPIER TURNER & ENGEL LLP 1900 ST JAMES PLACE SUITE 500 HOUSTON TX 77056
BOBBY LEE OCHOA 2800 S 25TH ST #106 ABILENE TX 79605
CALVARY PORTFOLIO SERVICES LLC PO BOX 1017 HAWTHORNE NY 10532
CAPITAL LOANS 3658 N 6TH ABILENE TX 79603
CELLULAR ONE PO BOX 79128 PHOENIX AZ 85062
CENTRAL FIN 3424 NORTH FIRST ABILENE TX 79603
CENTRAL FINANCE 257 FANNIN ABILENE TX 79603
CIC 802A PINE ABILENE TX 79601
CINGULAR WIRELESS PO BOX 650574 DALLAS TX 75265
COLLECTION COMPANY OF AMERICA 700 LONGWATER DR NORWELL MA 02061
CONSULT ME AMERICA 4295 E JURUPA ST SUITE 117 ONTARIO CA 91761
CREDIT WORLD 1611 S GREGG ST BIG SPRING TX 79720
FIRST COMMUNITY FCU 3505 WILDEWOOD DRIVE SAN ANGELO TX 76904
FIRST STATE BANK TUSCOLA PO BOX 98 TUSCOLA TX 77956
GENERAL FINANCE 726 PINE ABILENE TX 79601
HENDRICK HEALTH SYSTEM 1242 NORTH 19TH STREET ABILENE TX 79601
HENDRICK HEALTH SYSTEM 1900 PINE STREET ABILENE TX 79601
HSBC / ORCHARD PO BOX 19360 PORTLAND OR 97280
HSBC CARD SERVICES PO BOX 80026 SALINAS CA 93912
HSBC PO BOX 961245 FORT WORTH TX 76161
IC SYSTEM INC PO BOX 64378 ST PAUL MN 55164
INTERNAL REVENUE SERVICE PO BOX 7317 PHILADELPHIA PA 19101
INTERNAL REVENUE SERVICE PO BOX 7346 PHILADELPHIA PA 19101
JEFFERSON CAPITAL SYSTEMS LLC PO BOX 7999 SAINT CLOUD MN 56302
JEFFERSON CAPITAL SYSTEMS LLC PO BOX 953185 ST LOUIS MO 63195
MARLIN MEDCLR INOVISION 507 PRUDENTIAL ROAD HORSHAM PA 19044
MCCREARY VESELKA BRAGG & ALLEN PO BOX 1269 ROUND ROCK TX 78680
MICHAEL REED MCCREAY VESELKA ET AL PO BOX 1269 ROUND ROCK TX 78680
MICHAEL REED OR LEE GORDON PO BOX 1269 ROUND ROCK TX 78680
MONTE J WHITE & ASSOCIATES PC ATTORNEY AT LAW ABILENE 402 CYPRESS SUITE 310 ABILENE TX 79601
NCO FIN-09 507 PRUDENTIAL RD HORSHAM PA 19044
NCO FINANCIAL SYSTEMS PO BOX 8148 PHILADELPHIA PA 19101
OLGA PEREZ 1282 S PIONEER ABILENE TX 79605
RAUL OCHOA 216 FM 382 OVALO TX 79541
RECOVERY ONE 4645 EXECUTIVE DR COLUMBUS OH 43220
SANTANDER CONSUMER USA 8585 N STEMONS FWY STE DALLAS TX 75247
SANTANDER CONSUMER USA INC 8585 N STEMMONS FWY STE 1100-N DALLAS TX 75247
SANTANDER CONSUMER USA PO BOX 560284 DALLAS TX 75356
SBC BANKRUPTCY DEPT PO BOX 769 ARLINGTON TX 76004
SECOND ROUND LP 1330 WONDER WORLD DR STE SAN MARCOS TX 78666
SERVICE BUREAU INC 2705 81ST STREET LUBBOCK TX 79423
SOUTHWESTERN BELL TELEPHONE COMPANY % AT&T ATTORNEY JAMES GRUDUS ESQ ONE AT&T WAY ROOM 3A218 BEDMINSTER NJ 07921
T MOBILE/TMOBILE USA INC C/O AMERICAN INFROSOURCE LP PO BOX 248848 OKLAHOMA CITY OK 73124
TAYLOR CO CENTRAL APPRAIS DIST 1534 S TREADAWAY BLVD ABILENE TX 79602
TEXAS POWER ATTN BANKRUPTCY DEPARTMENT 4025 WOODLAND PARK BLVD, STE 220 ARLINGTON TX 76013
TEXAS POWER LP 4025 WOODLAND PARK BLVD ARLINGTON TX 76013
UNITED STATES ATTORNEY 801 CHERRY STREET UNIT 4 FT WORTH TX 76102
US ATTORNEY ATTORNEY IN CHARGE 1100 COMMERCE STREET SUITE 300 DALLAS TX 75242
US ATTORNEY GENERAL 10TH ST & CONSTITUTION AVE WASHINGTON DC 20530
WELLS FARGO BANK LEGAL PRACTICE MANAGEMENT 15000 SURVEYOR BLVD ADDISON TX 75001
WELLS FARGO FINANCIAL 4150 SW DRIVE SUITE 125 ABILENE TX 79606
WELLS FARGO HOME MORTG 625 MARYVILLE CENTRE DR SAINT LOUIS MO 63141
WELLS FARGO HOME MORTGAGE 1 HOME CAMPUS / MAC # X2302-04C BANKRUPTCY PAYMENT PROCESSING DES MOINES IA 50328
WILLIAM T NEARY UNITED STATES TRUSTEE 1100 COMMERCE STREET RM 976 DALLAS TX 75242